

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CONGREGATION OF RIDNIK, RABBI MOISHE BERGER, CONGREGATION KOLLEL MEOR YOSEF, RABBI DAVID RIBIAT, CONGREGATION KHAL BOSTON, RABBI ABRAHAM HOROWITZ, and CHAIM CAHAN

Plaintiffs,
-against-

VILLAGE OF AIRMONT, PHILIP GIGANTE, VILLAGE OF AIRMONT BOARD OF TRUSTEES, VILLAGE OF AIRMONT ZONING BOARD OF APPEALS, LAURIE DIFRANCESCO, BUILDING DEPARTMENT OF THE VILLAGE OF AIRMONT, LOUIS ZUMMO, PLANNING BOARD OF THE VILLAGE OF ARIMONT, COMMUNITY DESIGN REVIEW COMMITTEE, DAN KRAUSHAAR, EVE MANCUSO, STU TURNER, and SHLOMO POMERANZ,

Defendants.

NOTICE OF MOTION

18 Civ. 11533 (NSR)(LMS)

PLEASE TAKE NOTICE that, upon the annexed Declaration of Alexander J. Eleftherakis and the exhibits annexed thereto; the accompanying *Memorandum of Law in Support of Defendants' Motion to Dismiss*; and upon all pleadings and proceedings in this case, Defendants Village of Airmont, Philip Gigante, Village of Airmont Board of Trustees, Village of Airmont Zoning Board of Appeals, Laurie Difrancesco, Building Department of the Village of Airmont, Louis Zummo, Planning Board of the Village of Arimont, Community Design Review Committee, Dan Kraushaar, Eve Mancuso, Stu Turner, and Shlomo ("Defendants") will move this Court before the Honorable Nelson S. Román at the United States District Court, located at 300 Quarropas Street, White Plains, NY 10601, on a date and time to be determined by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(1) and (6) dismissing Plaintiffs' First Amended Complaint in its entirety with prejudice, together with such other and further relief as this Court

deems just, equitable, and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to court order, opposition papers are to be served by August 16, 2019, and reply papers by August 30, 2019.

Dated: Carle Place, New York
July 17, 2019

SOKOLOFF STERN LLP
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By:



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